

LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

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PROPOSAL NO.: LAFCO 3074

HEARING DATE: AUGUST 15, 2007

RESOLUTION NO. 2978

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO MAKING DETERMINATIONS ON LAFCO 3074 AND APPROVING THE EXPANSION OF POWERS FOR THE JOSHUA BASIN WATER DISTRICT TO INCLUDE SEWER SERVICE.

On motion of Commissioner Hansberger, duly seconded by Commissioner Cox, and carried, the Local Agency Formation Commission adopts the following resolution:

SECTION 1. The Local Agency Formation Commission of the County of San Bernardino hereby finds and determines:

a. That the Rules and Regulations affecting the functions and services of Special Districts were originally adopted on November 10, 1976; and,

b. That the Exhibit "A" of the Rules and Regulations lists each special district and its services and functions pursuant to the requirements of Section 6 of the Rules and Regulations; and,

c. That the Board of Directors of the Joshua Basin Water District desire to active latent powers for the Joshua Basin Water District for the following function: Sewers; and,

d. That said Commission proposed to consider the proposal without reference to a special district advisory committee; and,

e. That a public hearing on the proposed amendment to the Rules and Regulations affecting the functions and services of special districts was held on August 15, 2007; and,

f. That the following information and findings were noted by the Commission:

1. Notice of this hearing has been provided through publication in newspapers of general circulation in the area, as required by law.
2. This proposal does not conflict with the adopted County General Plan, Joshua Tree Community Plan and Homestead Valley Community Plan adopted for the area.

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3. The Commission prepared an environmental assessment for the activation of sewer powers and has adopted a Negative Declaration which indicates that approval of the activation of sewer powers for the purposes of operating and managing package sewer treatment plants as defined in the staff report and the ability to plan and engineer for a sewage system will not have a significant adverse impact on the environment. The initial study prepared by LAFCO's Environmental Consultant has been reviewed by the Commission's staff and has been found to be adequate for the activation of sewer powers. Responses to comments received during the circulation of the Notice of Availability for the Negative Declaration have been provided by the Commission and are made a part the document.

The Commission certifies it has reviewed and considered the Negative Declaration and environmental effects as outlined in the Initial Study prior to reaching a decision on the project and finds the information substantiating the Negative Declaration adequate for its use in making a decision as a CEQA lead agency. The Commission further finds that it does not intend to adopt alternatives or mitigation measures for the project. The Commission hereby adopts the Negative Declaration, as presented by its Environmental Consultant. The Commission directs the Clerk to file a Notice of Determination within five working days of its adoption.

4. The area of the Joshua Basin Water District is currently served by the following local agencies:

County of San Bernardino
Joshua Basin Water District and its Improvement District #2
County Service Area 20 (fire protection, park and recreation, road maintenance, streetlighting)
County Service Area 38 (fire protection)
County Service Area 70 (multi-function regional agency) and its Improvement Zones R-19, TV-5, R-28
Mojave Water Agency and its Improvement District M
Hi-Desert Memorial Healthcare District
Mojave Desert Resource Conservation District

5. The Plan for Service submitted by the District as a part of Resolution No. 06-803 has been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that such Plan conforms to those adopted standards and requirements. LAFCO 3084 is consistent with the Commission's policies and directives of State law indicating a preference for a multi-purpose entity to provide service to communities providing for a more accountable form of government.
6. LAFCO 3074 is consistent with the Commission's policies and directives of State law indicating a preference for a multi-purpose entity to provide service to communities providing for a more accountable form of government.
7. All notices required by law for this heaving have been provided. Protest to this consideration has been reviewed and considered by the Commission in making its determination.

SECTION 2. The Local Agency Formation Commission of the County of San Bernardino hereby resolves and orders that the Exhibit "A" of the Rules and Regulations of Special Districts shall be amended as follows:

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	<u>FUNCTION</u>	<u>SERVICES</u>
Joshua Basin	Water	Retail, agricultural, domestic, replenishment
	Sewer	Operation of Package Treatment Plants defined as consisting of units or modules designed for construction, assembly, connection and installation at the site for treatment of sewage and are to be operated for a limited area, including but not limited to a residential subdivision Planning and engineering for regional sewer service

THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission of the County of San Bernardino by the following vote:

AYES: COMMISSIONERS: Colven, Cox, Hansberger, McCallon, Mitzelfelt, Nuaimi, Pearson


NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: Biane (Mitzelfelt voting in his stead)

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, KATHLEEN ROLLINGS-McDONALD, Executive Officer of the Local Agency Formation Commission of the County of San Bernardino, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission, by vote of the members present, as the same appears in the Official Minutes of said Commission at its meeting of August 15, 2007.

DATED: August 16, 2007


KATHLEEN ROLLINGS-McDONALD
Executive Officer

JOSHUA BASIN WATER DISTRICT

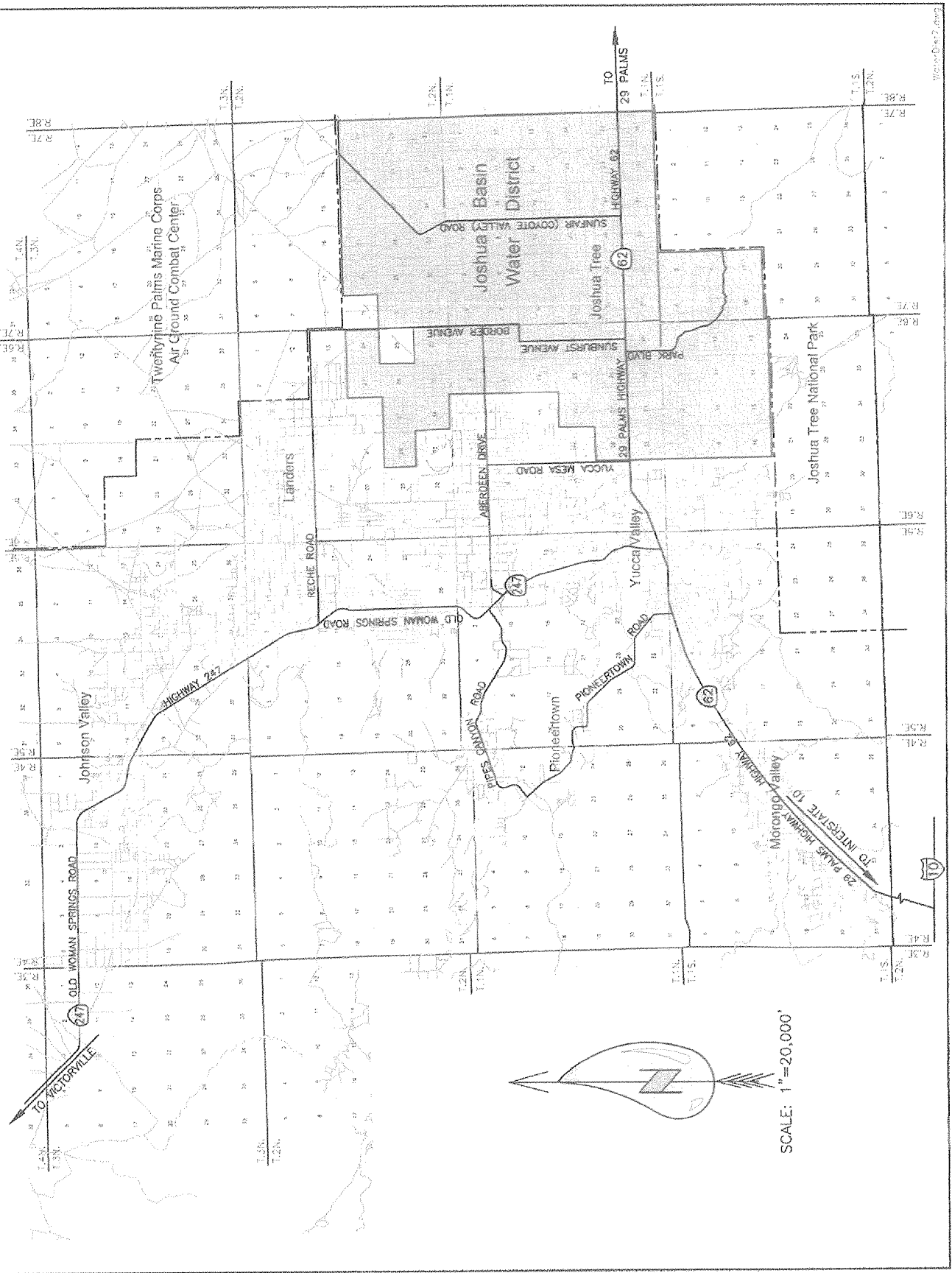


EXHIBIT 3

Revised May 27 72

1. DISTRICT BOUNDARY EXCLUDES SECTION 25 T.2N, R.6E S.B.M., AND SECTION 19 T.2N, R.7E S.B.M.
2. NO DISTRICT BOUNDARIES ARE BEING CHANGED BY THIS ACTION.

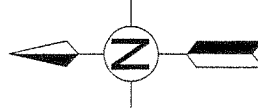
LEGEND

EXISTING DISTRICT BOUNDARY (ADJACENT OWNERS AS NOTED)
BOUNDARY OF PROJECT AREA (ADJACENT OWNERS AS NOTED)

SECTION BOUNDARY

35

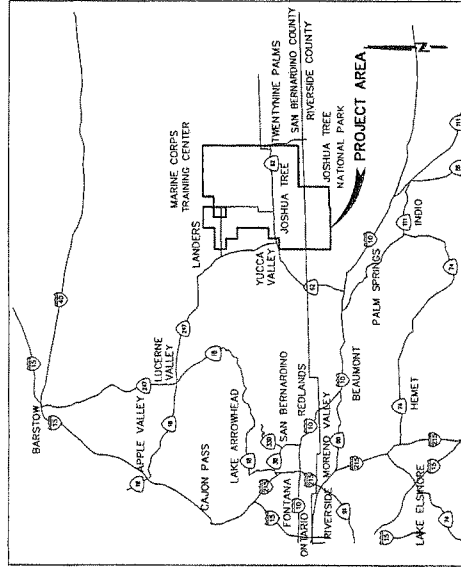
TOTAL AREA OF DISTRICT & PROJECT = 96 SECTIONS
= 61,440 AC. MORE OR LESS



GRAPHIC SCALE



VICINITY MAP

[illegible]

LAFCO 3074

ACTIVATION OF SEWER POWERS
FOR
JOSHUA BASIN WATER DISTRICT

REVISION 2, FEBRUARY 16, 2007